



CANNON BUILDING  
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STATE OF DELAWARE  
**DEPARTMENT OF STATE**

DIVISION OF PROFESSIONAL REGULATION

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<b>PUBLIC MEETING MINUTES:</b>	<b>BOARD OF ARCHITECTS</b>
<b>MEETING DATE AND TIME:</b>	<b>Wednesday, March 12, 2014 at 1:30 p.m.</b>
<b>PLACE:</b>	<b>861 Silver Lake Blvd., Conference Room B, Second floor, Dover, Delaware</b>
<b>MINUTES APPROVED:</b>	April 2, 2014

**MEMBERS PRESENT**

Kenneth Freemark, RA, Professional Member  
Kevin Wilson, RA, Professional Member, Secretary  
Peter H. Jennings, RA, Professional Member  
John Mateyko, RA, Professional Member, President  
Richard Wertz, RA, Professional Member  
Joseph Schorah, Public Member  
Elizabeth Happoldt, Public Member

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL**

Jennifer Singh, Deputy Attorney General  
Meaghan Jerman, Administrative Specialist II  
Robert Powers, Administrative Specialist II

**ABSENT**

Prameela Kaza, Public Member

**OTHERS PRESENT**

Nancy Payne, AIA Delaware  
Stanley Minka

**Call to Order**

Mr. Mateyko called the meeting to order at 1:35 p.m.

**Review and Approval of Minutes**

The Board reviewed the minutes of the February 5, 2014 meeting. Mr. Wilson made a motion, seconded by Mr. Freemark to accept the minutes as presented. The motion carried unanimously.

**Rule to Show Cause Hearing**

See attached hearing minutes.

## **Unfinished Business**

### **Discussion on Regulation Changes to Address Requests for Extensions to Complete Continuing Education**

Board members discussed their desire for an annual audit. Ms. Jerman explained that the Division can attempt to accommodate this request with current software; however this will have to be done manually and will be cumbersome. The Board discussed their desire to potentially modify their renewal date to coincide with the continuing education time frame. Ms. Singh explained that this change would alleviate the need for annual audits. The Board discussed the possibility of increasing fees to offset any financial burden that would be brought on by the Division if the renewal date were to be changed. The Board formally requested to change their renewal date to coincide with their continuing education requirements. Ms. Jerman will address the Board's request with the Division staff and will report back to the Board. Mr. Jennings also suggested that staff look into the jurisdiction of those who not complaint with the audits to ascertain if it is primarily licensees from states where continuing education is not required. Mr. Jennings stated that if we find this to be the primary issue that it may be something that NCARB can help address. Ms. Jerman will look into gathering this information.

### **Discussion on Regulation Changes to Include the Use of Electronic Seals**

Mr. Wilson and Mr. Jennings have reviewed various states regulations in regards to the use of electronic seals. Mr. Wilson shared that in our region it appears that many states have not addressed electronic seals yet. Mr. Wilson stated that he has suggested language that he is working on and will have the Board review at the April meeting.

### **Eric Timber – Request to Withdrawal Application following Board's Proposal to Deny**

Ms. Jerman informed the board that she had corresponded with Eric Timber regarding the Board's proposal to deny his application. Mr. Timber has requested that his application be withdrawn at this time due to personal reasons that prevent him from traveling to attend a hearing before the Board. Mr. Freemark made a motion, seconded by Mr. Wilson to allow Mr. Timber to withdraw his application. The motion carried unanimously.

### **Review Hearing Request from Richard A. Wilson**

Ms. Jerman informed the board of her correspondence with Richard Wilson and a professional colleague regarding the Board's proposal to deny his application and his untimely request for a hearing. The Board received correspondence requesting a hearing on March 10, 2014 and Mr. Wilson's proposal to deny letter had been mailed by the Division on January 16, 2014. Ms. Singh explained that as Mr. Wilson did not request a hearing within the specified time frame in the letter (10 days), it is at the Board's discretion as to whether allow Mr. Wilson a hearing. Mr. Schorah made a motion, seconded by Mr. Wilson to deny the untimely request. Mr. Freemark recused himself from the vote and the motion carried unanimously.

### **Review and Consider Rule to Show Cause Order for Clark Neuringer**

Ms. Singh reviewed the Board Order for Clark Neuringer who attended a Rule to Show Cause hearing in February. Ms. Singh informed the Board that they do not have jurisdiction to impose a court reporter fine and she had removed it from the order. Board members agreed with this modification and signed the amended order.

## **New Business**

### **Review Memo from David Mangler on Division's New Complaint Assignment Policy**

Ms. Jerman informed the Board of a new complaint policy that was being established by the Division. Changes have been established to improve efficiency and increase the timeliness of investigations and reserve Board Member Investigative Contact (BMIC) involvement for only those cases when it is

absolutely necessary. Moving forward, only complaints that require professional, subjective opinions, or involve practice-specific or standard of care questions will be assigned a BMIC. The Division may not assign a BMIC for complaints that the investigators do not feel require a professional's time and attention – for example, complaints alleging discipline in another jurisdiction or conviction of a crime noted in the Board's regulations.

New Complaints to Assign a Contact Person

There were no new complaints assigned to a contact person.

Ratification of Certificate of Authorization Application(s)

Mr. Jennings made a motion, seconded by Mr. Wilson to ratify the Certificate of Authorization's issued below. The motion carried unanimously.

Kolbrook Design, Inc  
RDL Architects, Inc

Page Southerland Page, Inc

Davis Partnership, P.C.

Ratification of Reciprocity Applications – NCARB Certificate

Mr. Freemark made a motion, seconded by Mr. Jennings to ratify the applicants by NCARB certification. The motion carried unanimously.

Todd Wambach  
David Fowles

Kimberly Dechen  
Vasilis Papadatos

Randall Seitz  
Paul Axeleon

Danny Walker  
Marc Maxwell

Review of Re-Application by NCARB

Gregory Galieti

Mr. Wertz reviewed the re-application of Gregory Galieti. Mr. Wertz informed the Board of Mr. Galieti and his qualifications. Mr. Wertz made a motion, seconded by Mr. Wilson to approve the application of Mr. Galieti. The motion carried unanimously.

Leonardo Schubert

Mr. Wertz reviewed the re-application of Leonardo Schubert. Mr. Wertz informed the board of Mr. Schubert education and qualifications. Mr. Freemark made a motion, seconded by Mr. Jennings to approve the application of Mr. Schubert. The motion carried unanimously.

Review of Re-Application by Direct Application

Mr. Wertz reviewed the re-application of Lawrence Spearman. Mr. Wertz informed the board of Mr. Spearman's education and his qualifications. Mr. Freemark made a motion, seconded by Mr. Wilson to approve the application of Mr. Spearman. The motion carried unanimously.

Report on NCARB Regional Summit Meeting

Mr. Wertz and Mr. Jennings provided highlights of the NCARB Regional Summit Meeting for the Board. Items stressed were state licensing boards ensuring military support and the state boards informing NCARB of discipline of architects. Ms. Jerman confirmed that Delaware has already implemented an application for military spouses which provide a license for up to six months while their professional license is administered by the Division. The Board discussed their desire for Delaware to report disciplinary information to NCARB. Ms. Jerman will follow up with NCARB and the Division to determine what is required to begin this process.

Other Business Before the Board (for discussion only)

Mr. Mateyko shared a news article concerning Sussex County's changes to comply with state regulations. Mr. Mateyko thanked Board members for their support of this endeavor. Mr. Jennings

shared that he had received correspondence from building officials in Sussex County regarding some questions. Mr. Jennings stated that he feels it would be good to sit down and review the law with the building officials. Ms. Singh suggested the official consider attending the Board's next meeting. Ms. Singh also suggested the Board form a committee meeting to meet with the building official. Mr. Jennings made a motion to form a committee to meet with Sussex County building officials, seconded by Mr. Freemark. The motion passed unanimously. Mr. Jennings, Mr. Freemark, and Mr. Mateyko volunteered to be part of the committee. Mr. Jennings proposed the committee meet prior to the next Board meeting on April 2, 2014 at noon. Mr. Jennings will contact the Sussex County official to schedule this.

Mr. Wertz stated that Delaware Tech is proceeding with the design project for Ocean View Historical Society and are asking representatives from the Board to visit. Mr. Jennings and Mr. Wertz volunteered to go and speak with students and observe their progress. Mr. Wertz suggested a visit on April 11, 2014.

**Public Comment**

There was no public comment.

**Next Scheduled Meeting**

The next meeting will be held on April 2, 2014 at 1:30 p.m. in Conference Room B, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

**Adjournment**

With no further business before the board, Mr. Freemark made a motion to adjourn the public meeting, seconded by Mr. Jennings. The motion carried unanimously. The meeting adjourned at 3:40p.m.

Respectfully submitted,



Meaghan Jerman  
Administrative Specialist II

### **HEARING – Stanley Minka**

The Delaware Board of Architects held a hearing on February 5, 2012 at 1:30 p.m. on the Second Floor in Conference Room A, Cannon Building, 861 Silver Lake Blvd., Dover, Delaware.

**PRESENT:** John Mateyko, Kenneth Freemark, Peter Jennings, Kevin Wilson, Richard Wertz, Elizabeth Happoldt, Joseph Schorah

**PUBLIC PRESENT:** Nancy Payne

**PURPOSE:** Rules to Show Cause Hearing

**PRESIDING:** John Mateyko, President

**BOARD STAFF:** Meaghan Jerman, Administrative Specialist II, Robert Powers, Administrative Specialist II

**DEPUTY ATTORNEY GENERAL FOR THE BOARD:** Jennifer Singh, DAG.

**COURT REPORTER PRESENT:** Gloria M. D'Amore, Wilcox and Fetzer

**TIME STARTED:** 1:37 p.m.

Ms. Singh stated for the record the purpose of the hearing to show cause as to why Mr. Minka did not comply with his previous board order, dated March 2, 2011.

Mr. Minka stated that per his consent agreement, the Board would issue a letter of reprimand and levy a \$300 fine. He never received the letter of reprimand and was not levied the fine so he had no way to comply. Additionally, the consent agreement did not have an expiration date and he would accept the letter of reprimand when it is issued and would pay the \$300 fine when it was levied.

The Board deliberated and Mr. Schorah made a motion, seconded by Mr. Wertz to continue with the existing fine of \$300 to be paid immediately and the letter of reprimand of to be sent out in a timely manner. The motion carried unanimously.